

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WARREN EASLEY,
Plaintiff

v.

LT. VOGT, et al.,
Defendants

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No. 1:23-cv-01096

(Judge Rambo)

ORDER

AND NOW, on this 12th day of August, 2024, in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss (Doc. 18) is **GRANTED in part**:

- (1) Plaintiff's claims against Defendants Correctional Officer Richards, Nicky Paul, and Superintendent Salamon are **DISMISSED**. The Clerk of Court is directed to **TERMINATE** these defendants as parties to this action;
- (2) Plaintiff's claims for denial of access to the courts, and denial of exercise in violation of the Eighth Amendment, are **DISMISSED** in their entirety;
- (3) Plaintiff's claims of retaliation in violation of the First Amendment, based on denial of access to the law library and the prison yard, **REMAIN PENDING** against Defendants Lt. Vogt, Unit Manager Miller, and Sgt. Carper;
- (4) Plaintiff's request for compensatory damages is **STRICKEN**;

(5) Any intended request for preliminary injunctive relief is **DENIED as moot, without prejudice;**

(6) Plaintiff's request for appointment of counsel is **DENIED without prejudice.**

/s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge